STAND. COM. REP. NO.

2534

Honolulu, Hawaii

MAR 0 3 2016

RE: S.B. No. 2910 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2910, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TIME SHARE COMMISSIONERS OF DEEDS,"

begs leave to report as follows:

The purpose and intent of this measure is to assist in the implementation of the Commissioners of Deeds program.

Specifically, this measure:

- (1) Clarifies the Lieutenant Governor's rulemaking authority relating to Commissioners of Deeds;
- (2) Authorizes the Lieutenant Governor to assess and collect fees and administrative fines relating to Commissioners of Deeds;
- (3) Clarifies that the Lieutenant Governor is responsible for the Commissioners of Deeds program;
- (4) Increases the surety bond requirement for Commissioners of Deeds from \$1,000 to \$10,000; and
- (5) Appropriates funds for the establishment and administration of the Commissioners of Deeds program.

Your Committee received written comments in support of this measure from the Office of the Lieutenant Governor, American Resort Development Association, Starwood Vacation Ownership, and Wyndham Vacation Ownership.

Your Committee finds that Act 277, Session Laws of Hawaii 2013, established the Commissioners of Deeds program within the Office of the Lieutenant Governor. This program includes a process for the Governor to appoint individuals to serve as Commissioners of Deeds to administer oaths, take acknowledgements, and take proofs of execution outside of the United States in connection with the execution of conveyance documents relating to a time share interest, any property subject to a time share plan, or the operation of a time share plan covering any property located within Hawaii.

Your Committee also finds that a working group was convened in 2014 to assist in implementing the Commissioners of Deeds program. The working group determined that additional legislation and authorization would assist with the effective implementation of the Commissioners of Deeds program and ensure the protection of consumers who wish to purchase a time share property located in the State. Your Committee further finds that this measure addresses the issues identified by the working group.

Your Committee has amended this measure by making a technical nonsubstantive amendment for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2910, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2910, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Ways and Means,

JILL N. TOKUDA, Chair

The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Ways and Means WAM

Bill / Resolution No.:* 5B 2910 ,5D1	Committee CPH	Referral: , WAN	1	Pate:///	111
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TOKUDA, JIII N. (C)					
DELA CRUZ, Donovan M. (VC)					
CHUN OAKLAND, Suzanne					
ENGLISH, J. Kalani					
GALUTERIA, Brickwood					
HARIMOTO, Breene					
INOUYE, Lorraine R.					
RIVIERE, Gil					
TANIGUCHI, Brian T.					
WAKAI, Glenn					
SLOM, Sam			<u>_</u>		
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TOTAL		11			
Recommendation: Adopted Not Adopted					
Chair's pr Designee's Signature:					
Distribution: Original File with Committee Rep					

*Only one measure per Record of Votes